

REMARKS

Claims 1-8 and 10-15 are now pending in the application, with Claim 15 being added herein. Claims 1-8 and 10-14 stand rejected. Claims 1, 5, 8, 11, and 12 have been amended. Applicants submit that support for these amendments and new Claim 15 can be found in the specification as filed and, thus, does not constitute new matter. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

DRAWINGS

The undersigned gratefully acknowledges the Examiner's acceptance of the drawings filed with this application on August 15, 2003.

REQUEST FOR CONTINUED EXAMINATION ("RCE")

The undersigned gratefully acknowledges the Examiner's withdrawal of the finality of the previous Office Action in response to our Request for Continued Examination. We also gratefully acknowledge that our submission filed on August 2, 2005 has been entered, and that the amendments to Claims 1, 8 and 12 and the cancellation of Claim 9 have been acknowledged.

PRIORITY UNDER 35 U.S.C. § 119

The undersigned gratefully acknowledges the Examiner's acknowledgement that the USPTO has received certified copies of all foreign priority documents.

REJECTION UNDER 35 U.S.C. § 103

Claims 1, 5-8 and 10-14 stand rejected under 35 U.S.C. § 103(a) as being

unpatentable over Kawasaki (U.S. Pat. No. 5,492,388; hereinafter "Kawasaki") in view of Pandit, et al. (U.S. Pat. No. 6,234,850 B1; hereinafter "Pandit"). Claim 2 stands rejected as being unpatentable over Kawasaki in view of Pandit, and further in view of Hirzmann (U.S. Pat. No. 6,535,394 B1; hereinafter "Hirzmann"). Claim 3 stands rejected as being unpatentable over Kawasaki in view of Pandit, and further in view of Hauske, et al. (U.S. Pat. No. 6,623,214 B1; hereinafter "Hauske"). Claim 4 stands rejected as being unpatentable over Kawasaki in view of Pandit, and further in view of Kellison (U.S. Pat. No. 4,642,964; hereinafter "Kellison"). In view of the amendments and arguments herein, these rejections are respectfully traversed.

At the outset, Applicants note that independent Claim 1 has been amended to include:

a removable spacer ring operably clamped between and in contact with the first and second contact faces to inhibit the infusion of a coating onto the first and second contact faces, the spacer ring removable to enable an electrical contact to be coupled to the body.

Applicants also note that Independent Claim 8 has been amended to include:

a spacer ring positionable between the first and second electric contacts when the screw is engaged within the female threaded aperture, the spacer ring substantially covering both the first and second electric contacts, the spacer acting to seal the first and second electric contacts.

Further, Applicants note that independent Claim 12 has been amended to include:

welding the weld nut to a surface;
applying paint to the weld nut;
removing the spacer ring after the application of paint to the weld nut; and

threadably engaging the screw with the female aperture a second time.

Applicants respectfully submit that these features as claimed are not taught or suggested by either Kawasaki, Pandit, Hirzmann, Hauske or Kellison, either alone or in combination.

With regard to Kawasaki, Kawasaki does not teach or suggest whatsoever the use of a spacer ring or the desirability of a spacer ring. First, Applicants respectfully assert that it is improper to modify Kawasaki to include a spacer ring without any suggestion of the desirability of this modification. Second, Applicants respectfully submits that even if it was proper to modify Kawasaki to include a spacer ring, none of the references teach or suggest a spacer ring as claimed in Applicants' invention.

With regard to Pandit, Pandit discloses a compression member or washer 24 for "[distributing] the forces of head 20 over a relatively large area of a conductor when a conductor is received in the receiving area between an upper surface of terminal 12 and head 20" (see at least Column 2, Lines 47-53). Pandit expressly teaches the use of the washer 24 during the coupling of the conductor and further suggests the washer 24 can be integrally formed with the head 20 or fixedly coupled to the head 20, which teaches away from a spacer ring, the removal of a spacer ring and further against the removal of a spacer ring to enable receipt of an electrical contact, as claimed by Applicants invention.

Applicants further respectfully submit that Pandit is silent as to the washer inhibiting the infusion of a second coating onto the first and second surfaces. Applicants note that it would be improper to modify the washer 24 of Pundit to act as a seal between electric contact surfaces, as Pundit clearly shows the washer 24 as an

intermediary between the head 20 and the screw 16, and the conductor C1 (see at least Figures 2 and 3). The washer 24 of Pandit is not in contact with the terminal 12 whatsoever, and it would be improper to modify Pandit to dispose the washer 24 against the terminal 12, as it would impermissibly modify the operation of Pandit. Applicants further note that Hirzmann, Hauske and Kellison do not remedy the deficiencies of Kawasaki and Pandit.

In regard to Hirzmann, Applicants note that Hirzmann appears to disclose a structure for attaching a motherboard 100 of a computer to a fixing post 300 formed on a casing 110 using a washer 320 to provide good electrical contact between the motherboard 100 and the casing 110 (see at least Column 2, Lines 47-50 and Column 3, Lines 13-20). Applicants respectfully submit that Hirzmann does not disclose whatsoever providing a spacer ring or a grounding terminal for a motor vehicle. Rather, Hirzmann, at best, discloses a fastener for coupling a printed circuit board to a computer casing, and further fails to disclose the use of a weld nut.

With regard to Hauske, Applicants respectfully submit that Hauske is non-analogous art, as it deals specifically with repairing a hole 16 formed in a geotextile tube 10 (see at least Column 4, Lines 20-22). Applicants respectfully submit that one skilled in the art of weld nut fasteners for an electrical contact with a weld nut would not look to Hauske whatsoever to teach or suggest any of the features claimed in Applicants' invention. Further, Applicants respectfully assert that it would be improper to modify by Hauske to enable electrical conductivity, as geotextile tube 10 is used as a conduit for transmitting slurries to the coast. Enabling electrical conductivity in this type of application could result in an electrocution hazard. Applicants note that Hauske does

not disclose whatsoever the use of a weld nut and, given the material used in Hauske, welding is impermissible. Moreover, Applicants note that backing member 20, as identified by the Examiner as a "spacer," is rather an integral part of the assembly 18 of Hauske, used for clamping the assembly 18 to the hole 16 formed in the geotextile tube 10 to repair the hole 16 (see at least Column 4, Lines 40-43).

In regard to Kellison, Kellison discloses a metal washer 26 and a die-cut washer 28, which are positioned between a nut 20 and a rail fastener 24 (see at least Column 4, Lines 15-18). Kellison also discloses the use of a securing agent 32, which is a two-part cement to fixably secure the fastener system 9 to the rail fastener 24. Applicants note that a washer is not a spacer; and even if Kellison was construed as disclosing a spacer, the spacer/washer of Kellison is not removable whatsoever, as Kellison clearly discloses permanently deforming the washer to attach the fastener system 9 to the rail fastener 24 (see at least Column 4, Lines 38-40). Thus, Kellison does not disclose whatsoever the desirability of having a removable spacer, nor does Kellison disclose whatsoever a weld nut fastener for an electric contract with a weld nut, as claimed in Applicants' invention.

With regard to Claim 5, Applicants respectfully assert that Kawasaki does not disclose whatsoever a spacer ring with:

a pre-determinable thickness substantially equal to the depth of the cavity in a fastener welded state to enable the screw to fully threadably engage the weld nut prior to the screw contacting a work piece after the removal of the spacer ring.

Applicants note that the thickness of the spacer ring must be equal to or less than the cavity depth or the fastener in Applicants' invention would not be able to seat properly against the weld nut. Applicants submit that Kawasaki does not disclose or suggest the

desirability of this feature as claimed and, therefore, it is improper to modify Kawasaki to include this feature. Applicants further note that even if the Examiner were to improperly modify Kawasaki to include this feature, this feature is not taught by Pandit. As discussed previously, Pandit does not disclose the removal of a "spacer" nor a "spacer" that has a specified thickness to enable the fastener to threadably engage a weld nut after the removal of the "spacer." Accordingly, Applicants respectfully submit that Claim 5 is patentable over Kawasaki and Pandit, either alone or in combination.

Accordingly, for at least these reasons, Applicants respectfully assert that independent Claims 1, 8 and 12 are patentable and in condition for allowance. In addition, as Claims 2-7, 9-11, 13, and 14 depend from either independent Claim 1, 8 or 12, Applicants respectfully submit that these claims are also patentable and in condition for allowance.

Reconsideration and withdrawal of this rejection are respectfully requested.

NEW CLAIM

New Claim 15 has been added to depend from independent Claim 12. Applicants submit that neither Kawasaki, Pandit, Hirzmann, Hauske, or Kellison teach or suggest the subject matter claimed in Claim 15. Thus, Applicants respectfully submit that Claim 15 is patentable and in condition for allowance.

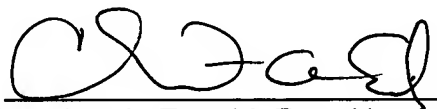
CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is

believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: 1-23-2006

By: 
Christopher A. Eusebi, Reg. No. 44,672
Erica K. Schaefer, Reg. No. 55,861

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

CAE/EKS/smb/lf-s

G:\eschaefer\0275M\000761\Amendment due 12-23-05 +1\Amendment.doc